



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Number: 3013144
Applicant: David Neiman
Address of Proposal: 2114 E Yesler Way

SUMMARY OF PROPOSAL

Land Use Application to allow an additional three units to existing eight unit apartment building, totaling 11 units (in an environmentally critical area) by enclosing existing parking area within building footprint.

The following approvals are required:

SEPA Environmental Threshold Determination - (SMC Chapter 25.05)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

*Proposal includes future unit lot subdivision.

SITE AND VICINITY

Site Location: The site is located on the northwest corner of 22nd Ave and E Yesler Way.

Zoning: Lowrise 3 (LR3)

Environmentally Critical Areas: The southern portion the site is located within a Steep Slope Critical Area. There is a retaining wall approximately 11 ft. height separating E Yesler Way from the abutting lower alley. (ref exemption 6300899)

Parcel Size: 7,200 sq. ft.

Existing Use: Residential.

Public Comment: The Notice of Application comment period ended on May 23, 2012. No comments were received.

ANALYSIS - SEPA

The proposal is to add three residential units to eight existing units in an Environmentally Critical Area, thus the application is not exempt from SEPA review. Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a lowrise zone and an urban village and exceeds the unit threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 2, 2011 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans, including site survey, and any additional information in the file, including the April 30, 2012 Geotechnical Engineering Report prepared by J. Keith Cross, P.E.; and, reviewed the proposal for consistency with ECA regulations. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant. Codes and development regulations applicable to this proposed project, including the Environmentally Critical Areas Ordinance, Tree Protection Ordinance, Seattle Building Code, Stormwater Code, and Grading Code will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "Where City regulations have been adopted to address environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. No adverse long-term impacts on the environmentally critical area are anticipated.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- ☐ Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment and complies with ECA regulations. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

CONDITIONS – SEPA

None required.

Signature: _____ (signature on file) Date: August 9, 2012
Lindsay King, Senior Land Use Planner
Department of Planning and Development

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